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Policy committee recommends replacement with Shipmen minimum legal policy

BULLYING PREVENTION AND INTERVENTION

The Colchester Board of Education (the "Board") is committed to creating and maintaining an educational environment that is physically, emotionally, and intellectually safe and thus free from bullying, teen dating violence, harassment, and discrimination.

In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension, and expulsion, and consistent with state and federal law.

For purposes of this policy, "Bullying" means an act that is direct or indirect and severe, persistent or pervasive, which:

1. causes physical or emotional harm to an individual;
2. places an individual in reasonable fear of physical or emotional harm; or
3. infringes on the rights or opportunities of an individual at school.

Bullying shall include, but need not be limited to, a written, oral, or electronic communication or physical act or gesture-based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, "Cyberbullying" means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices, or any electronic communications.

For purposes of this policy, "Teen Dating Violence" means any act of physical, emotional, or sexual abuse, including stalking, harassing, and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

Consistent with the requirements under state law, the Board authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

1. enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;

2. enable the parents or guardians of students to file written reports of suspected bullying;

3. require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

4. require the safe school, climate specialist, to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;

5. require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

6. include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;

7. provide for the inclusion of language in student codes of conduct concerning bullying;

8. require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above; (A) of the results of such investigation, and (B) verbally or by electronic mail, if such parents' or guardians' electronic mail addresses are known, that such parents or guardians may refer to the plain language explanation of the rights and remedies available under Conn. Gen. Stat. Section 10-4a and 10-4b published on the Internet website of the Board;

9. require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;

10. require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;

11. establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

12. direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;

13. prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

14. direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;

15. require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;

16. prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board, and (B) outside of the school setting if such bullying creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

17. require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and

18. require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

The Board shall submit its Safe School Climate Plan to the State Department of Education for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

As required by state law, the Board, after consultation with the Connecticut Department of Education and the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative, shall provide on the Board’s website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on such students’ (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

As required by state law, the Board shall post on its website the plain language explanation of rights and remedies under Connecticut General Statutes §§ 10-4a and 10-4 b, as developed and provided to the Board by the Connecticut Social and Emotional Learning and School Climate Advisory Collaborative.

Legal

Public Act 19-166

Conn. Gen. Stat. § 10-145a

Public Act 21-95

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222r

Conn. Gen. Stat. § 10-222q

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. §§ 10-233a through 10-233f